

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet**

DATE: Monday January 8, 2018

CASE NUMBER: C15-2017-0065

- _____ Brooke Bailey
- _____ William Burkhardt
- _____ Christopher Covo
- _____ Eric Goff
- _____ Melissa Hawthorne
- _____ Bryan King
- _____ Don Leighton-Burwell
- _____ Rahm McDaniel
- _____ Veronica Rivera
- _____ James Valadez
- _____ Michael Von Ohlen
- _____ Kelly Blume (Alternate)
- _____ Martha Gonzalez (Alternate)
- _____ Pim Mayo (Alternate)

OWNER/APPLICANT: Chris Palladino

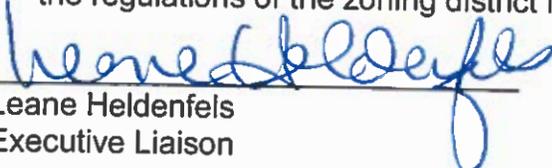
ADDRESS: 4013 CLAWSON RD

VARIANCE REQUESTED: Variance Request(s): The applicant has requested variance(s) to Section 25-2 492 (D) (*Site Development Regulations*) to decrease the minimum lot width from 50 feet (required/permitted) to 35 feet (requested) in order to subdivide the current lot into 2 lots and build 2 new single family homes and 2 new second dwelling units on each lot in a "SF-3", Family Residence zoning district.

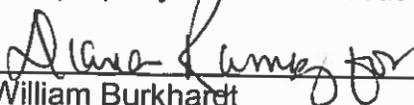
BOARD'S DECISION: Jan 8, 2018 POSTPONED TO FEBRUARY 12, 2018; Feb 12, 2018

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:
(b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:



 Leane Heldenfels
 Executive Liaison



 William Burkhardt
 Chairman



NOTIFICATIONS

CASE#: C15-2017-0065
LOCATION: 4013 Clawson Road



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY



1" = 171'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

4013 Clawson Rd LLC
1802 Purple Sage Drive
Cedar Park TX 78613
(512) 720-8654

December 4, 2017

Leane Heldenfels
Board of Adjustments
City of Austin
505 Barton Springs Rd
Austin, TX 78704

Dear Ms. Heldenfels:

Enclosed please find my Board of Adjustment variance request for 4013 Clawson Road.

I am requesting a variance from Code section 25-4-174 to allow for this large lot to be subdivided into two lots, one flag lot and one lot with a width of 35' (which requires the variance).

Under the conceptual plan attached to the application, this lot would be subdivided into two lots with a shared, common driveway. This use is consistent with the area and an example can be found about 500' to the southwest of this lot.

The new lot would be approximately 8,350 square feet, significantly larger than the minimum required lot size of 5,750 square feet. It will have a 35' frontage adjacent to the Clawson Road ROW and a depth of approximately 238 feet. It will share the 15' "flag" of the new rear lot as part of the common driveway.

Even though this lot requires a variance to allow a 35' frontage, at approximately 8,350 square feet it will allow more than adequate size and shape for a quality residential home site.

The re-subdivision process for this configuration prohibits the configuration of this large lot into two sections due to the Code requirement for a 50' lot width, and limits the use of the current 19,600 square feet to only two housing units. My understanding is that variances are usually granted when the applied code creates a hardship, and this would be a hardship within the land development code.

Sincerely,



Chris Paladino
Manager



CITY OF AUSTIN
Development Services Department
One Texas Center | Phone: 512.978.4000
505 Barton Springs Road, Austin, Texas 78704

Board of Adjustment General/Parking Variance Application

WARNING: Filing of this appeal stops all affected construction activity.

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, [click here to Save](#) the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. **If more space is required, please complete Section 6 as needed.** All information is required (if applicable).

For Office Use Only

Case # _____	ROW # _____	Tax # _____
--------------	-------------	-------------

Section 1: Applicant Statement

Street Address: 4013 Clawson Road, Austin, TX 78704

Subdivision Legal Description:

Being 0.45 of an acre of land out of lots 25, 26 and 27, Bannister Heights Subdivision According to the Map or Plat Thereof Recorded in Vol 3. Page 256 ... Doc number 2016071699

Lot(s): _____ Block(s): _____

Outlot: _____ Division: Bannister Heights

Zoning District: _____

I/We Chris Paladino on behalf of myself/ourselves as authorized agent for 4013 Clawson Rd LLC affirm that on

Month December, Day 4, Year 2017, hereby apply for a hearing before the Board of Adjustment for consideration to (select appropriate option below):

Erect Attach Complete Remodel Maintain Other: _____

Type of Structure: future residential

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

25-2-492, minimum width requirement of 50' for SF-3 lot. Applicant requests permission to
subdivide previously-unplatted property into two lots: a "front" lot with a minimum 34.8' width (at
rear of new lot) and a "rear" lot that will remain minimum 49.82' wide. The "rear" lot would be
accessible to Clawson Road via a 15'-wide "flag".

Section 2: Variance Findings

The Board must determine the existence of, sufficiency of, and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional supporting documents.

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

I contend that my entitlement to the requested variance is based on the following findings:

Reasonable Use

The zoning regulations applicable to the property do not allow for a reasonable use because:

SF-3 zoning contemplates a density of eight primary residences and eight secondary
residences per acre. Subject property is 19,602 SF in size, over three times the minimum lot
size required by the LDC. Thus, a reasonable use for this property is subdivision into at least
two lots. However, subject property is only 50.03' wide at the front property line and 49.82'
wide at the rear property line. The LDC mandates a minimum of 50' lot width. Therefore,
without a variance, subject property can only house one primary residence and one secondary
residence per acre, a density that is one-eighth of what is permitted by the LDC.

Hardship

a) The hardship for which the variance is requested is unique to the property in that:

Subject property is the narrowest property of its size in the general vicinity. Similarly-sized
properties across the street are, in general, 65' wide, which could be (and have been)
subdivided in the manner that the Applicant proposes to subdivide the subject property.

b) The hardship is not general to the area in which the property is located because:

Subject property is the narrowest property of its size in the general vicinity. Similarly-sized
properties across the street are, in general, 65' wide, which could be (and have been)
subdivided in the manner that the Applicant proposes to subdivide the subject property.

Area Character

The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

Only one of the proposed four housing units will front on Clawson Road, thus maintaining the “single-family” character of the streetscape. The remainder of the housing units will be accessible via a common driveway. LDC-compliant parking will be provided onsite for each housing unit. The housing units shall comply with all applicable provisions of the Residential Design and Compatibility Standards of the LDC.

Parking (additional criteria for parking variances only)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed in the City of Austin Land Development Code Chapter 25-6, Appendix A with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

- 1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specific regulation because:

N/A

- 2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

N/A

- 3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

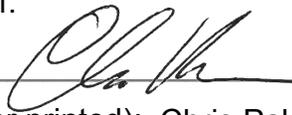
N/A

- 4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

N/A

Section 3: Applicant Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Applicant Signature:  Date: 12/4/17

Applicant Name (typed or printed): Chris Paladino

Applicant Mailing Address: 1802 Purple Sage Dr

City: Cedar Park State: TX Zip: 78613

Phone (will be public information): (512) 720-8654

Email (optional – will be public information): 

Section 4: Owner Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Owner Signature:  Date: 12/4/17

Owner Name (typed or printed): Chris Paladino, Manager for 4013 Clawson Rd LLC

Owner Mailing Address: 1802 Purple Sage Dr

City: Cedar Park State: TX Zip: 78613

Phone (will be public information): (512) 720-8654

Email (optional – will be public information): 

Section 5: Agent Information

Agent Name: _____

Agent Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone (will be public information): _____

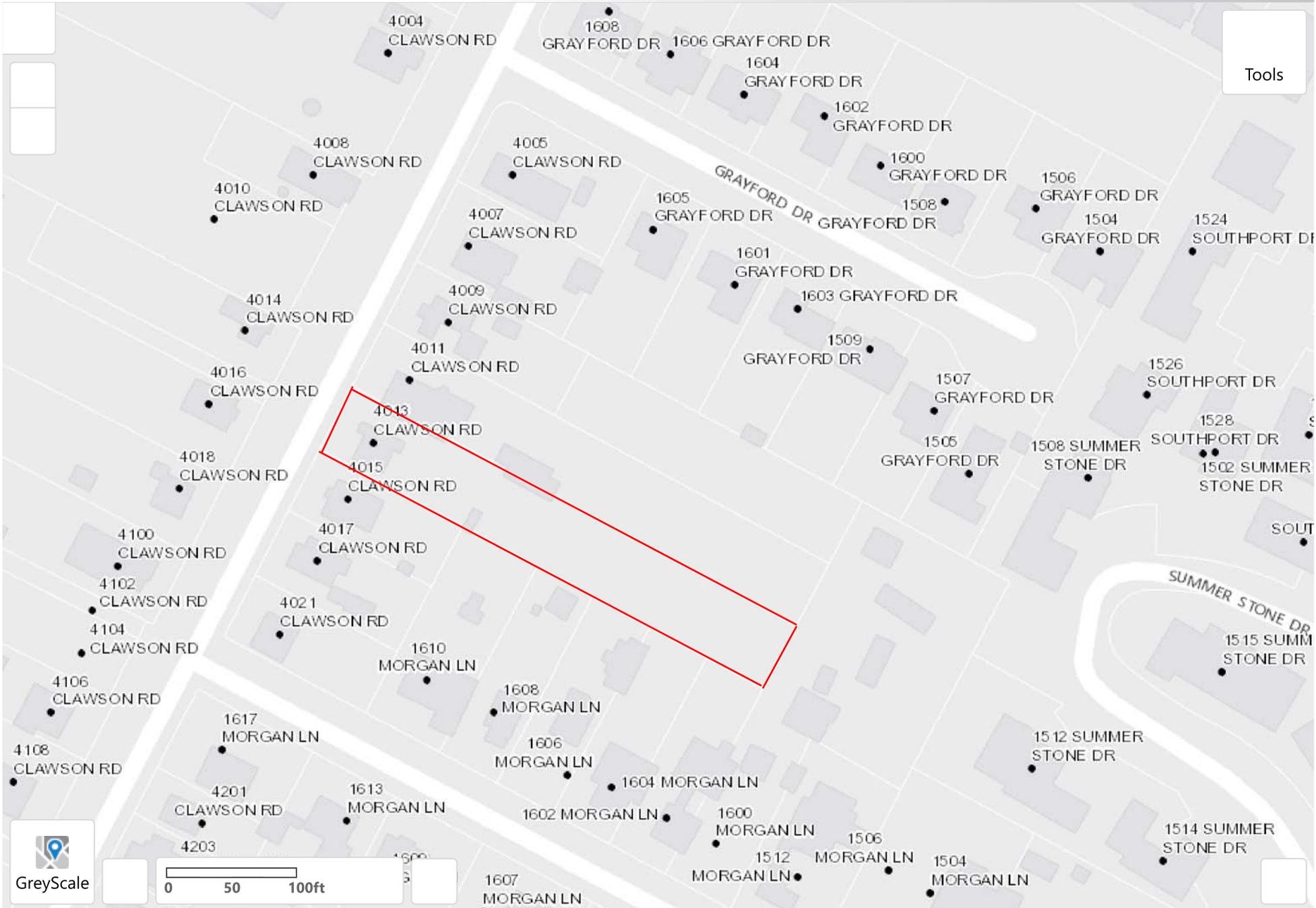
Email (optional – will be public information): _____

Section 6: Additional Space (if applicable)

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).



Property Profile



Tools



0 50 100ft



RESTRICTIONS

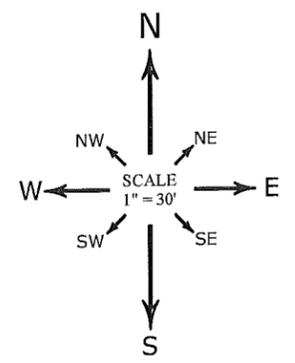
-RESTRICTIONS:
 THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND THIS SURVEYOR DID NOT RESEARCH THE DEED RECORDS FOR PREVIOUS CONFLICTS IN TITLE, EASEMENTS AND/OR BOUNDARY LINE AGREEMENTS, THEREFORE, CERTAIN EASEMENTS MAY HAVE BEEN GRANTED WHICH ARE NOT REFLECTED HEREON. ONLY THOSE SETBACK LINES, EASEMENTS, BOUNDARY LINES AND INTERESTS WHICH ARE REPRESENTED ON THE PARENT SUBDIVISION PLAT, WHICH IS REFERENCED HEREON, ARE PLOTTED ON THIS SURVEY, NO DOCUMENTS OTHER THAN THOSE CITED ON THIS SURVEY HAVE BEEN EXAMINED.

LEGAL DESCRIPTION

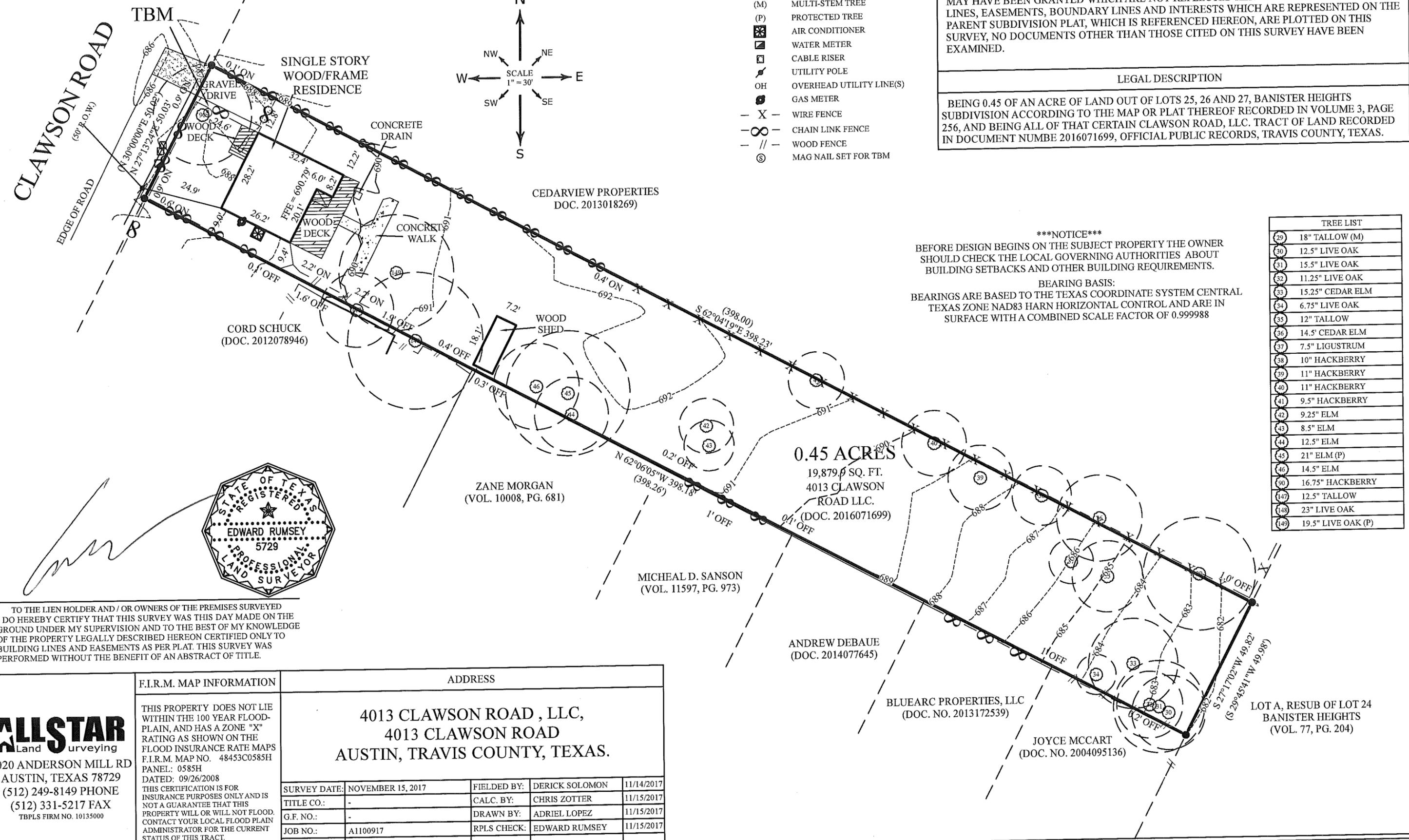
BEING 0.45 OF AN ACRE OF LAND OUT OF LOTS 25, 26 AND 27, BANISTER HEIGHTS SUBDIVISION ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 3, PAGE 256, AND BEING ALL OF THAT CERTAIN CLAWSON ROAD, LLC. TRACT OF LAND RECORDED IN DOCUMENT NUMBE 2016071699, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.

LEGEND

- 1/2" ROD FOUND
- () RECORD INFORMATION
- (M) MULTI-STEM TREE
- (P) PROTECTED TREE
- ⊠ AIR CONDITIONER
- ⊡ WATER METER
- ⊞ CABLE RISER
- ⊟ UTILITY POLE
- OH OVERHEAD UTILITY LINE(S)
- ⊙ GAS METER
- X - WIRE FENCE
- ∞ - CHAIN LINK FENCE
- // - WOOD FENCE
- ⊙ MAG NAIL SET FOR TBM



TEMPORARY BENCHMARK (TBM)
 IS TOP OF MAG NAIL SET ON TREE ROOT
 ELEVATION = 688.35'



NOTICE

BEFORE DESIGN BEGINS ON THE SUBJECT PROPERTY THE OWNER SHOULD CHECK THE LOCAL GOVERNING AUTHORITIES ABOUT BUILDING SETBACKS AND OTHER BUILDING REQUIREMENTS.

BEARING BASIS:

BEARINGS ARE BASED TO THE TEXAS COORDINATE SYSTEM CENTRAL TEXAS ZONE NAD83 HARN HORIZONTAL CONTROL AND ARE IN SURFACE WITH A COMBINED SCALE FACTOR OF 0.999988

TREE LIST	
29	18" TALLOW (M)
30	12.5" LIVE OAK
31	15.5" LIVE OAK
32	11.25" LIVE OAK
33	15.25" CEDAR ELM
34	6.75" LIVE OAK
35	12" TALLOW
36	14.5" CEDAR ELM
37	7.5" LIGUSTRUM
38	10" HACKBERRY
39	11" HACKBERRY
40	11" HACKBERRY
41	9.5" HACKBERRY
42	9.25" ELM
43	8.5" ELM
44	12.5" ELM
45	21" ELM (P)
46	14.5" ELM
90	16.75" HACKBERRY
147	12.5" TALLOW
148	23" LIVE OAK
149	19.5" LIVE OAK (P)



TO THE LIEN HOLDER AND / OR OWNERS OF THE PREMISES SURVEYED I DO HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE OF THE PROPERTY LEGALLY DESCRIBED HEREON CERTIFIED ONLY TO BUILDING LINES AND EASEMENTS AS PER PLAT. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.

ALLSTAR Land surveying
 9020 ANDERSON MILL RD
 AUSTIN, TEXAS 78729
 (512) 249-8149 PHONE
 (512) 331-5217 FAX
 TBPLS FIRM NO. 10135000

F.I.R.M. MAP INFORMATION

THIS PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD-PLAIN, AND HAS A ZONE "X" RATING AS SHOWN ON THE FLOOD INSURANCE RATE MAPS F.I.R.M. MAP NO. 48453C0585H PANEL: 0585H DATED: 09/26/2008 THIS CERTIFICATION IS FOR INSURANCE PURPOSES ONLY AND IS NOT A GUARANTEE THAT THIS PROPERTY WILL OR WILL NOT FLOOD. CONTACT YOUR LOCAL FLOOD PLAIN ADMINISTRATOR FOR THE CURRENT STATUS OF THIS TRACT.

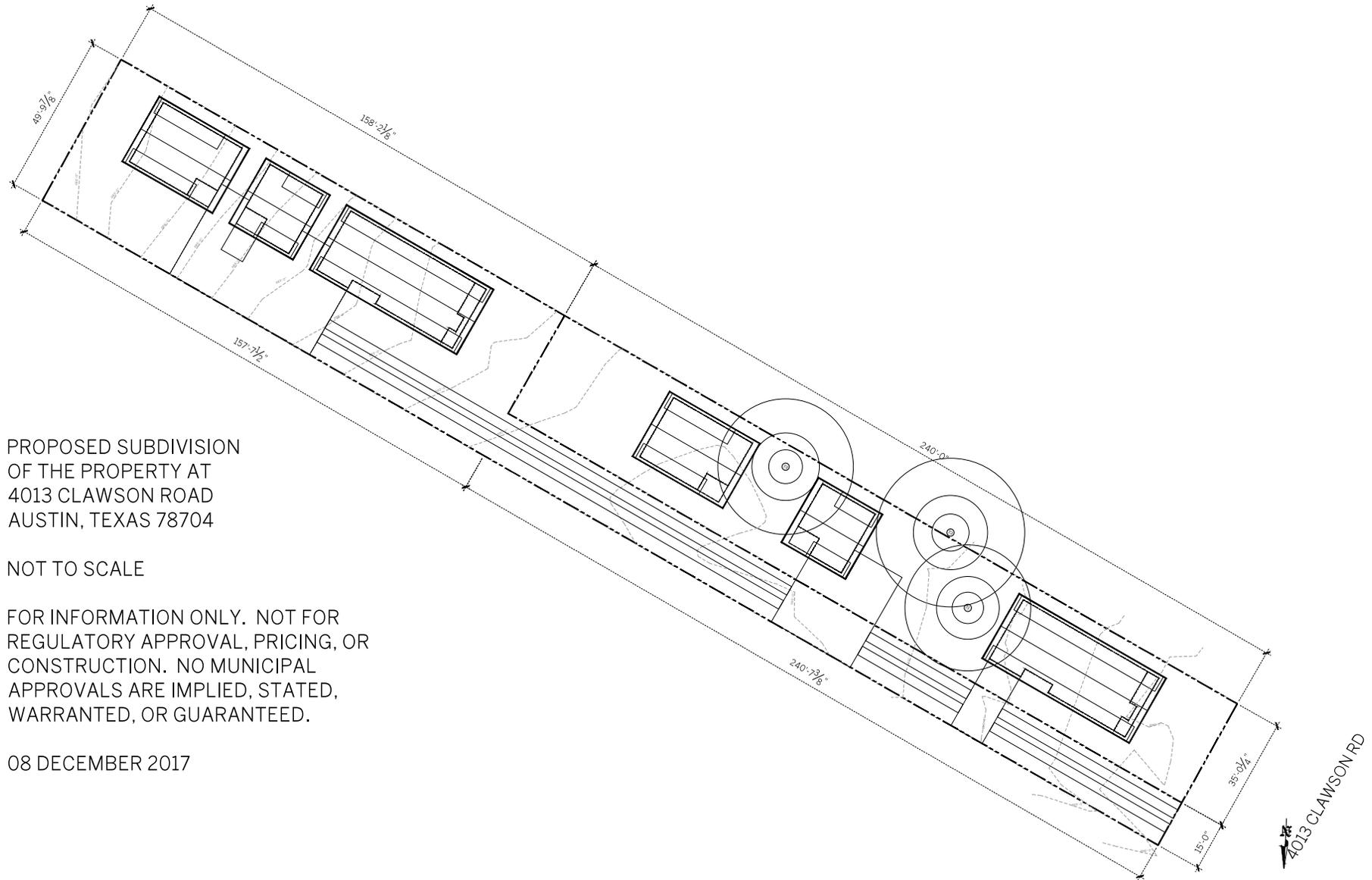
ADDRESS

4013 CLAWSON ROAD, LLC,
 4013 CLAWSON ROAD
 AUSTIN, TRAVIS COUNTY, TEXAS.

SURVEY DATE:	NOVEMBER 15, 2017	FILED BY:	DERICK SOLOMON	11/14/2017
TITLE CO.:	-	CALC. BY:	CHRIS ZOTTER	11/15/2017
G.F. NO.:	-	DRAWN BY:	ADRIEL LOPEZ	11/15/2017
JOB NO.:	A1100917	RPLS CHECK:	EDWARD RUMSEY	11/15/2017

LOT A, RESUB OF LOT 24
 BANISTER HEIGHTS
 (VOL. 77, PG. 204)

CONCEPTUAL PLAN



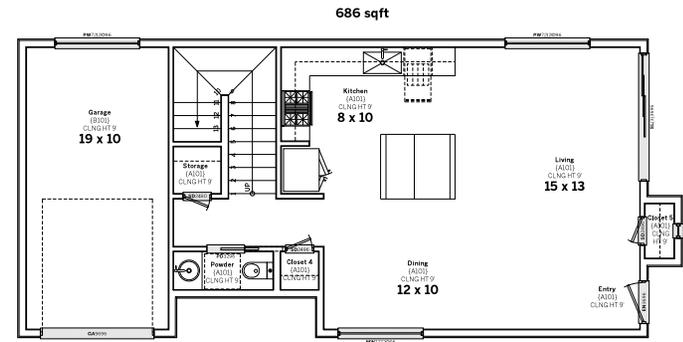
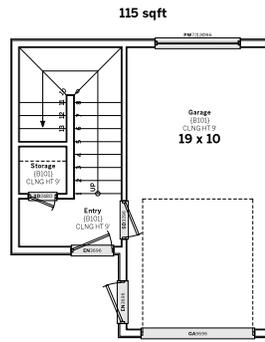
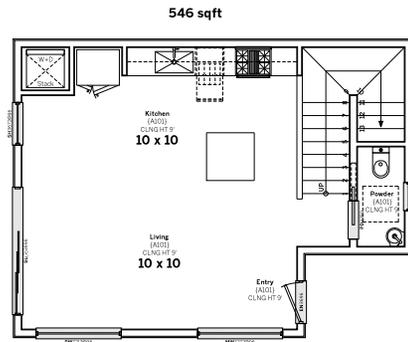
PROPOSED SUBDIVISION
OF THE PROPERTY AT
4013 CLAWSON ROAD
AUSTIN, TEXAS 78704

NOT TO SCALE

FOR INFORMATION ONLY. NOT FOR
REGULATORY APPROVAL, PRICING, OR
CONSTRUCTION. NO MUNICIPAL
APPROVALS ARE IMPLIED, STATED,
WARRANTED, OR GUARANTEED.

08 DECEMBER 2017

CONCEPTUAL PLAN



3 Floor Plan, Bldg 02, Level 01

Scale 1/8" = 1'-0" @ 11x17
Scale 1/4" = 1'-0" @ 24x36

2 Floor Plan, Bldg 02 (Garage), Level 01

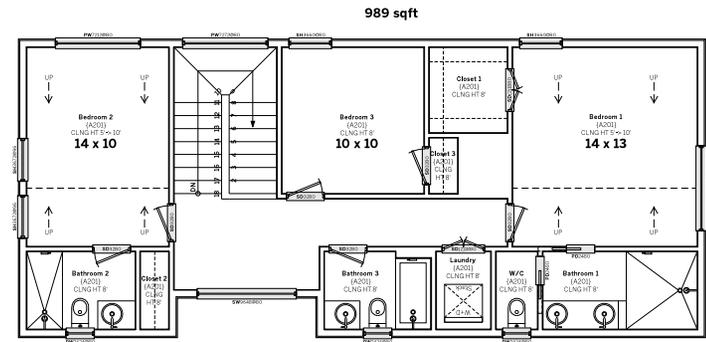
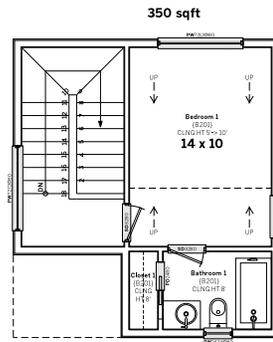
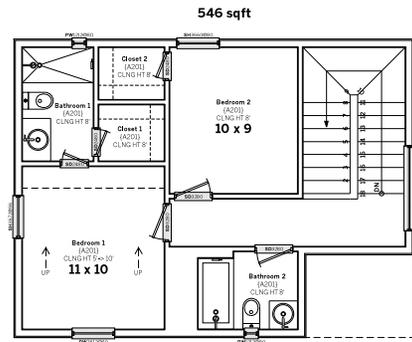
Scale 1/8" = 1'-0" @ 11x17
Scale 1/4" = 1'-0" @ 24x36

1 Floor Plan, Bldg 01, Level 01

Scale 1/8" = 1'-0" @ 11x17
Scale 1/4" = 1'-0" @ 24x36

KEYED NOTES (NOT ALL NOTES MAY PERTAIN TO THIS SPECIFIC PROJECT).			VISIBILITY NOTES (REPEATED FROM SHEET G002).			FRAMING (NOT ALL TYPES MAY PERTAIN TO THIS SPECIFIC PROJECT).			DISCLAIMERS.			SEAL OF ARCHITECT.			SEAL OF MUNICIPAL APPROVAL.			
01	New step-free entry into residence from public way. Maximum vertical rise 1/2".		01	New accessible door into visitable bathroom on Level 01. Minimum clear width 32".	06	Railing or parapet at exterior porch or deck. Minimum height 36" above finish floor.	1.	Bathroom(s) on the first floor shall receive an entry door with minimum 30" clear opening.		<p>This document is issued under the seal of WILLIAM LAWRENCE HOSE, Texas architect #93074. This document is not for regulatory approval pending or construction unless the seal and signature of the Architect are visible. This document is not approved for construction unless a seal of municipal approval is visible. No set of construction documents can contain all information required to construct a project. Interpretation by a contractor is required. All sheets are complementary. That which is shown in one sheet, applies to all sheets in this set by reference. The information in G001 through G007 (inclusive) apply to every sheet in this set and to every contractor and/or subcontractor that may perform work on this project. Unless this set contains the cover sheet and all sheets listed thereon, this set is incomplete and INVALID FOR CONSTRUCTION.</p>			<p>ISSUE DATE: 28 Nov 2017</p> <p>GRAPHIC SCALE (in feet)</p>			<p>NEW HOUSE & SECONDARY APT W/ DETACHED GARAGE AT 4013 CLAWSON RD AUSTIN, TEXAS 78704</p> <p>ISSUE DATE: 28 Nov 2017 SHEET TYPE: Floor Plans, Level 01</p> <h1 style="background-color: black; color: white; padding: 5px;">A101</h1>		
02	New step-free entry into residence from garage or carport. Maximum vertical rise 1/2".		02	New 120-minute-rated demising wall between duplex units. Construction to comply with UL U342 or approved equivalent.	07	Railing or partial-height wall at interior. Minimum height 36" above finish floor.	2.	Bathroom(s) on the first floor shall receive 2x6 wood blocking parallel with floor (except directly behind lavatories). Blocking shall be installed such that the centerline of blocking is 3/4" above finish floor level.										
03	New accessible route through and to Level 01 public spaces. Minimum clear width 32".		03	REQUIRED LENGTH XX-XX" PROVIDED LENGTH XX-XX"	08	Ceiling break.	3.	Switches and thermostats on all floors shall be located no greater than 45" (6" junction-box centerline) above finish floor level.										
	REFER TO SHEET A100 FOR CONTINUATION OF ROUTE TO EXTERIOR AND PUBLIC WAY.				09	Line of 5' ceiling height.	4.	Power receptacles and data ports on all floors shall be located no less than 18" (6" junction-box centerline) above finish floor level.										
					10	Line of 7' ceiling height.	5.	At least one entrance to the first floor of the dwelling shall have a "no-step" entrance with a beveled threshold of 1/2" or less.										
					11	Line of 15' ceiling height.	6.	A visitable route shall be provided from public way to the no-step entrance of each dwelling unit. Said visitable route shall be a minimum of 36" in clear width and shall have a maximum cross-slope of 1:50.										

CONCEPTUAL PLAN



3 Floor Plan, Bldg 02, Level 02

Scale 1/8" = 1'-0" @ 11x17
Scale 1/4" = 1'-0" @ 24x36

2 Floor Plan, Bldg 02 (Garage), Level 02

Scale 1/8" = 1'-0" @ 11x17
Scale 1/4" = 1'-0" @ 24x36

1 Floor Plan, Bldg 01, Level 02

Scale 1/8" = 1'-0" @ 11x17
Scale 1/4" = 1'-0" @ 24x36

KEYED NOTES (NOT ALL NOTES MAY PERTAIN TO THIS SPECIFIC PROJECT).	VISIBILITY NOTES (REPEATED FROM SHEET 0002).	FRAMING (NOT ALL TYPES MAY PERTAIN TO THIS SPECIFIC PROJECT).	DISCLAIMERS.	SEAL OF ARCHITECT.	SEAL OF MUNICIPAL APPROVAL.	
<p>01 New step-free entry into residence from public way. Maximum vertical rise 1/2".</p> <p>02 New step-free entry into residence from garage or carport. Maximum vertical rise 1/2".</p> <p>03 New accessible route through and to Level 01 public spaces. Minimum clear width 32".</p> <p>REFER TO SHEET A100 FOR CONTINUATION OF ROUTE TO EXTERIOR AND PUBLIC WAY.</p> <p>04 New accessible door into visible bathroom on Level 01. Minimum clear width 32".</p> <p>05 New 120-minute-rated demising wall between duplex units. Construction to comply with UL U342 or approved equivalent.</p> <p>REQUIRED LENGTH XX'-XX" PROVIDED LENGTH XX'-XX"</p>	<p>06 Railing or parapet at exterior porch or deck. Minimum height 36" above finish floor.</p> <p>07 Railing or partial-height wall at interior. Minimum height 36" above finish floor.</p> <p>08 Ceiling break.</p> <p>09 Line of 5' ceiling height.</p> <p>10 Line of 7' ceiling height.</p> <p>11 Line of 15' ceiling height.</p>	<p>1. Bathroom(s) on the first floor shall receive an entry door with minimum 30" clear opening.</p> <p>2. Bathroom(s) on the first floor shall receive 2x6 wood blocking parallel with floor (except directly behind lavatories). Blocking shall be installed such that the centerline of blocking is 34" above finish floor level.</p> <p>3. Switches and thermostats on all floors shall be located no greater than 45" (6" junction-box centerline) above finish floor level.</p> <p>4. Power receptacles and data ports on all floors shall be located no less than 18" (6" junction-box centerline) above finish floor level.</p> <p>5. At least one entrance to the first floor of the dwelling shall have a "no-step" entrance with a beveled threshold of 1/2" or less.</p> <p>6. A visible route shall be provided from public way to the no-step entrance of each dwelling unit. Said visible route shall be a minimum of 36" in clear width and shall have a maximum cross-slope of 1:50.</p>	<p>2x4 wood framing</p> <p>2x6 wood framing</p> <p>3.5" depth cold-formed metal framing</p> <p>6" depth cold-formed metal framing</p> <p>12" depth insulated-concrete-form framing</p>	<p>This document is issued under the seal of WILLIAM LAWRENCE HOSE, Texas architect #93074. This document is not for regulatory approval prior or construction unless the seal and signature of the Architect are visible. This document is not approved for construction unless a seal of municipal approval is visible. No set of construction documents can contain all information required to construct a project. Interpretation by a contractor is required. All sheets are complementary. That which is shown in one sheet applies to all sheets in this set by reference. The information in G001 through G007 (inclusive) apply to every sheet in this set and to every contractor and/or subcontractor that may perform work on this project. Unless this set contains the cover sheet and all sheets listed thereon, this set is incomplete and INVALID FOR CONSTRUCTION.</p>	<p>ISSUE DATE 28 Nov 2017</p> <p>GRAPHIC SCALE (in feet)</p>	<p>NEW HOUSE & SECONDARY APT W/ DETACHED GARAGE AT 4013 CLAWSON RD AUSTIN, TEXAS 78704</p> <p>ISSUE DATE 28 Nov 2017 SHEET TYPE Floor Plans, Level 02.</p> <h1 style="font-size: 2em; margin: 0;">A102</h1>

CONCEPTUAL PLAN

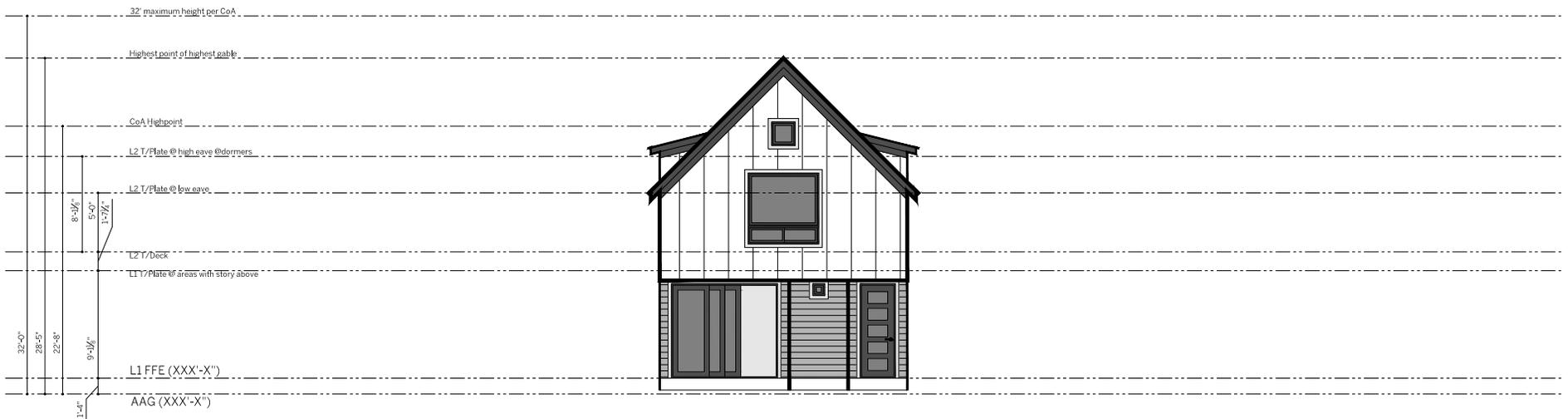
LDC TITLE 25, CHAPTER 25-2, SUBCHAPTER F, ARTICLE 2.6, E. 4. b. (i):

A structure may not extend beyond a setback plane... except for gables or a shed roof, with a total horizontal length of not more than 18 feet on each side of the building, measured along the intersection with the setback plane.

LDC TITLE 25, CHAPTER 25-2, SUBCHAPTER F, ARTICLE 3.4.1

Height shall be measured vertically from the average of the highest and lowest grades adjacent to the building to... for a pitched or hip roof, the gabled roof or dormer with the highest average height.

ARCHITECT'S NOTE: NO PROVISIONS FOR "HABITABILITY OF SPACE" ARE MADE IN THE LANGUAGE CITED ABOVE. IE: ANY ENCLOSED SPACE UNDER THE SHED ROOF MAY PROTRUDE, INCLUDING SPACE USED FOR VERTICAL CIRCULATION.



① Elevation, Bldg 1, Front

Scale 1/8" = 1'-0" @ 11x17
Scale 1/4" = 1'-0" @ 24x36

KEYED NOTES (NOT ALL NOTES MAY PERTAIN TO THIS SPECIFIC PROJECT).			DISCLAIMERS.	SEAL OF ARCHITECT.	SEAL OF MUNICIPAL APPROVAL.	ISSUE DATE	GRAPHIC SCALE (in feet)
<p>01 New standing-seam metal roof.</p> <p>02 New 30-year composition shingle roof.</p> <p>03 New horizontally-oriented cement-board siding. Exposure 6".</p> <p>04 New horizontally-oriented cement-board siding. Exposure 12".</p> <p>05 New vertically-oriented cement-board paneling. Exposure 24" w/ 1x2 battens.</p>	<p>06 New 3-coat Portland-cement stucco on metal lath. 3rd coat elastomeric.</p> <p>07 New 3.5"-thick stone masonry veneer, random-ashlar bond.</p> <p>08 New brick masonry veneer, common bond.</p> <p>09 New metal coping. Exposure 6".</p> <p>10 New metal railing at exterior porch or deck. Minimum height 36" above finish floor.</p>	<p>11 New parapet at exterior porch or deck. Minimum height 36" above finish floor.</p>	<p>This document is issued under the seal of WILLIAM LAWRENCE HOSE, Texas architect #93074. This document is not for regulatory approval, pricing or construction unless the seal and signature of the Architect are visible. This document is not approved for construction unless a seal of municipal approval is visible. No set of construction documents can contain all information required to construct a project. Interpretation by a contractor is required. All sheets are complementary. That which is shown in one sheet, applies to all sheets in this set by reference. The information in G001 through G007 (inclusive) apply to every sheet in this set and to every contractor and/or subcontractor that may perform work on this project. Unless this set contains the cover sheet and all sheets listed therein, this set is incomplete and INVALID FOR CONSTRUCTION.</p>			<p>28 Nov 2017</p>	
<p>NEW HOUSE & SECONDARY APT W/ DETACHED GARAGE AT 4013 CLAWSON RD AUSTIN, TEXAS 78704</p>						<p>ISSUE DATE 28 Nov 2017</p>	<p>GRAPHIC SCALE (in feet)</p>
<p>ISSUE DATE 28 Nov 2017</p> <p>SHEET TYPE Elevations, Bldg 1.</p>						<p>A201</p>	

CONCEPTUAL PLAN

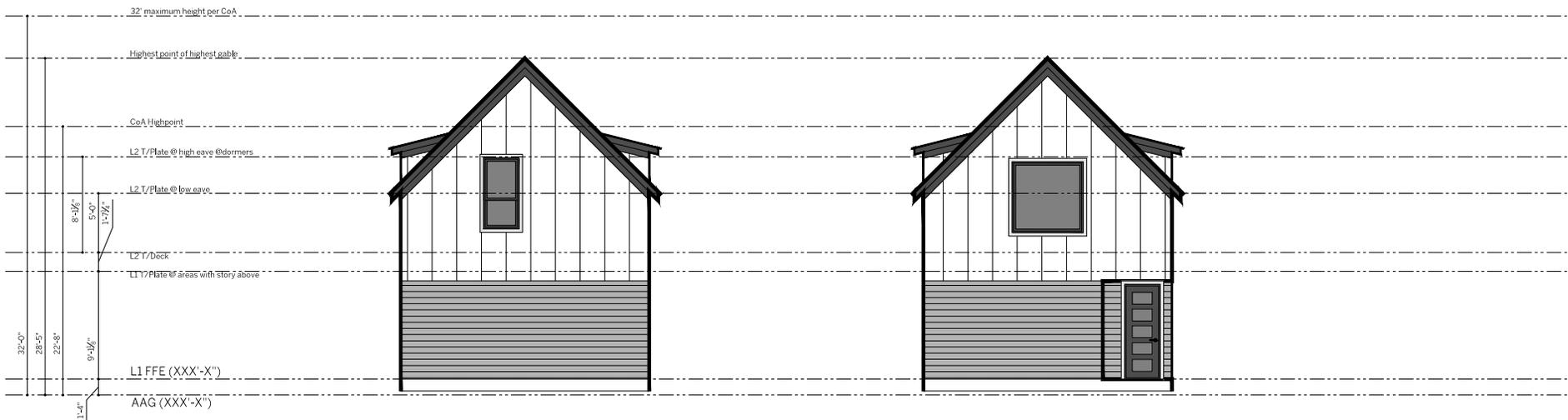
LDC TITLE 25, CHAPTER 25-2, SUBCHAPTER F, ARTICLE 2.6, E. 4, b. (i):

A structure may not extend beyond a setback plane... except for gables or a shed roof, with a total horizontal length of not more than 18 feet on each side of the building, measured along the intersection with the setback plane.

ARCHITECT'S NOTE: NO PROVISIONS FOR "HABITABILITY OF SPACE" ARE MADE IN THE LANGUAGE CITED ABOVE. IE: ANY ENCLOSED SPACE UNDER THE SHED ROOF MAY PROTRUDE, INCLUDING SPACE USED FOR VERTICAL CIRCULATION.

LDC TITLE 25, CHAPTER 25-2, SUBCHAPTER F, ARTICLE 3.4.1

Height shall be measured vertically from the average of the highest and lowest grades adjacent to the building to... for a pitched or hip roof, the gabled roof or dormer with the highest average height.



① Elevation, Bldg 2 (Garage), Front

Scale 1/8" = 1'-0" @ 11x17
Scale 1/4" = 1'-0" @ 24x36

② Elevation, Bldg 2 (Garage), Rear

Scale 1/8" = 1'-0" @ 11x17
Scale 1/4" = 1'-0" @ 24x36

KEYED NOTES (NOT ALL NOTES MAY PERTAIN TO THIS SPECIFIC PROJECT)			DISCLAIMERS.	SEAL OF ARCHITECT.	SEAL OF MUNICIPAL APPROVAL.	ISSUE DATE	GRAPHIC SCALE (in feet)
01 New standing-seam metal roof. 02 New 30-year composition shingle roof. 03 New horizontally-oriented cement-board siding, Exposure 6". 04 New horizontally-oriented cement-board siding, Exposure 12". 05 New vertically-oriented cement-board paneling, Exposure 24" w/ 1x2 battens.	06 New 3-coat Portland-cement stucco on metal lath, 3rd coat elastomeric. 07 New 3.5"-thick stone masonry veneer, random-ashlar bond. 08 New brick masonry veneer, common bond. 09 New metal coping, Exposure 6". 10 New metal railing at exterior porch or deck, Minimum height 36" above finish floor.	11 New parapet at exterior porch or deck, Minimum height 36" above finish floor.	This document is issued under the seal of WILLIAM LAWRENCE HOSE, Texas architect #93074. This document is not for regulatory approval, pricing or construction unless the seal and signature of the Architect are visible. This document is not approved for construction unless a seal of municipal approval is visible. No set of construction documents can contain all information required to construct a project. Interpretation by a contractor is required. All sheets are complementary. That which is shown in one sheet, applies to all sheets in this set by reference. The information in G001 through G007 (inclusive) apply to every sheet in this set and to every contractor and/or subcontractor that may perform work on this project. Unless this set contains the cover sheet and all sheets listed therein, this set is incomplete and INVALID FOR CONSTRUCTION.			28 Nov 2017	
NEW HOUSE & SECONDARY APT W/ DETACHED GARAGE AT 4013 CLAWSON RD AUSTIN, TEXAS 78704						ISSUE DATE: 28 Nov 2017 SHEET TYPE: Elevations, Bldgs 2	A205

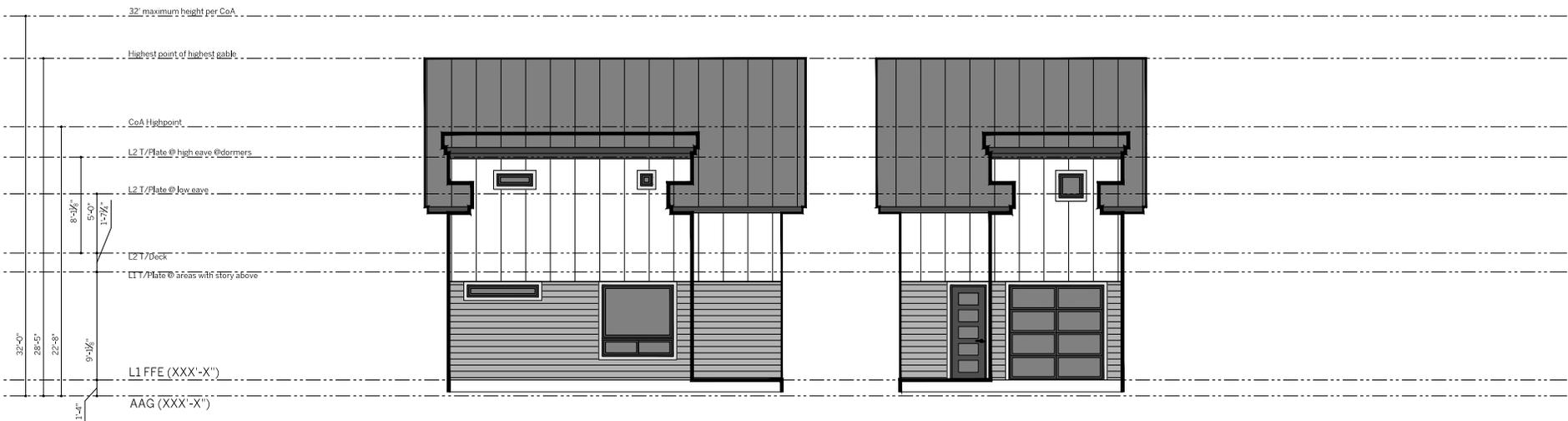
CONCEPTUAL PLAN

LDC TITLE 25, CHAPTER 25-2, SUBCHAPTER F, ARTICLE 2.6, E. 4, b. (i); LDC TITLE 25, CHAPTER 25-2, SUBCHAPTER F, ARTICLE 3.4.1

A structure may not extend beyond a setback plane... except for gables or a shed roof, with a total horizontal length of not more than 18 feet on each side of the building, measured along the intersection with the setback plane.

Height shall be measured vertically from the average of the highest and lowest grades adjacent to the building to... for a pitched or hip roof, the gabled roof or dormer with the highest average height.

ARCHITECT'S NOTE: NO PROVISIONS FOR "HABITABILITY OF SPACE" ARE MADE IN THE LANGUAGE CITED ABOVE. IE: ANY ENCLOSED SPACE UNDER THE SHED ROOF MAY PROTRUDE, INCLUDING SPACE USED FOR VERTICAL CIRCULATION.



① Elevation, Bldg 2, Left

Scale 1/8" = 1'-0" @ 11x17
Scale 1/4" = 1'-0" @ 24x36

② Elevation, Bldg 2 (Garage), Left

Scale 1/8" = 1'-0" @ 11x17
Scale 1/4" = 1'-0" @ 24x36

KEYED NOTES (NOT ALL NOTES MAY PERTAIN TO THIS SPECIFIC PROJECT).

01	New standing-seam metal roof.	06	New 3-coat Portland-cement stucco on metal. 3rd coat elastomeric.	11	New parapet at exterior porch or deck. Minimum height 36" above finish floor.
02	New 30-year composition shingle roof.	07	New 3.5"-thick stone masonry veneer, random-ashlar bond.		
03	New horizontally-oriented cement-board siding. Exposure 6".	08	New brick masonry veneer, common bond.		
04	New horizontally-oriented cement-board siding. Exposure 12".	09	New metal coping. Exposure 6".		
05	New vertically-oriented cement-board paneling. Exposure 24" w/ 1x2 battens.	10	New metal railing at exterior porch or deck. Minimum height 36" above finish floor.		

DISCLAIMERS.

This document is issued under the seal of WILLIAM LAWRENCE HOSE, Texas architect #93074. This document is not for regulatory approval pending or construction unless the seal and signature of the Architect are visible. This document is not approved for construction unless a seal of municipal approval is visible. No set of construction documents can contain all information required to construct a project. Interpretation by a contractor is required. All sheets are complementary. That which is shown in one sheet, applies to all sheets in this set by reference. The information in G001 through G007 (inclusive) apply to every sheet in this set and to every contractor and/or subcontractor that may perform work on this project. **Unless this set contains the cover sheet and all sheets listed therein, this set is incomplete and INVALID FOR CONSTRUCTION.**

SEAL OF ARCHITECT.

ISSUE DATE **28 Nov 2017**

GRAPHIC SCALE (in feet)

SEAL OF MUNICIPAL APPROVAL.

ISSUE DATE **28 Nov 2017**

SHEET TYPE **Elevations, Bldgs 2.**

A207

NEW HOUSE & SECONDARY APT W/ DETACHED GARAGE AT 4013 CLAWSON RD AUSTIN, TEXAS 78704

ISSUE DATE **28 Nov 2017**

SHEET TYPE **Elevations, Bldgs 2.**

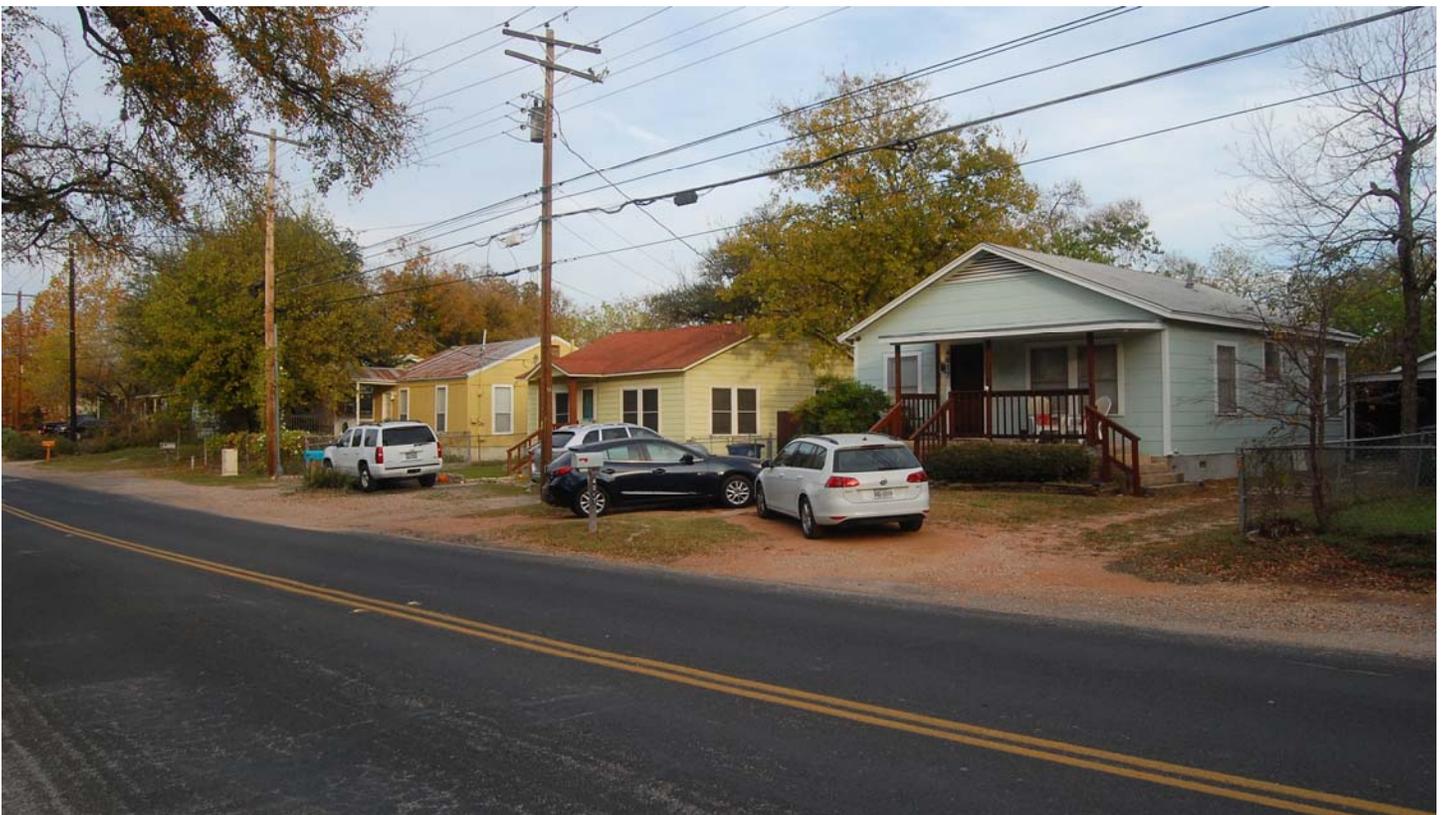
A207

Subject Property view from street

4013 Clawson Rd



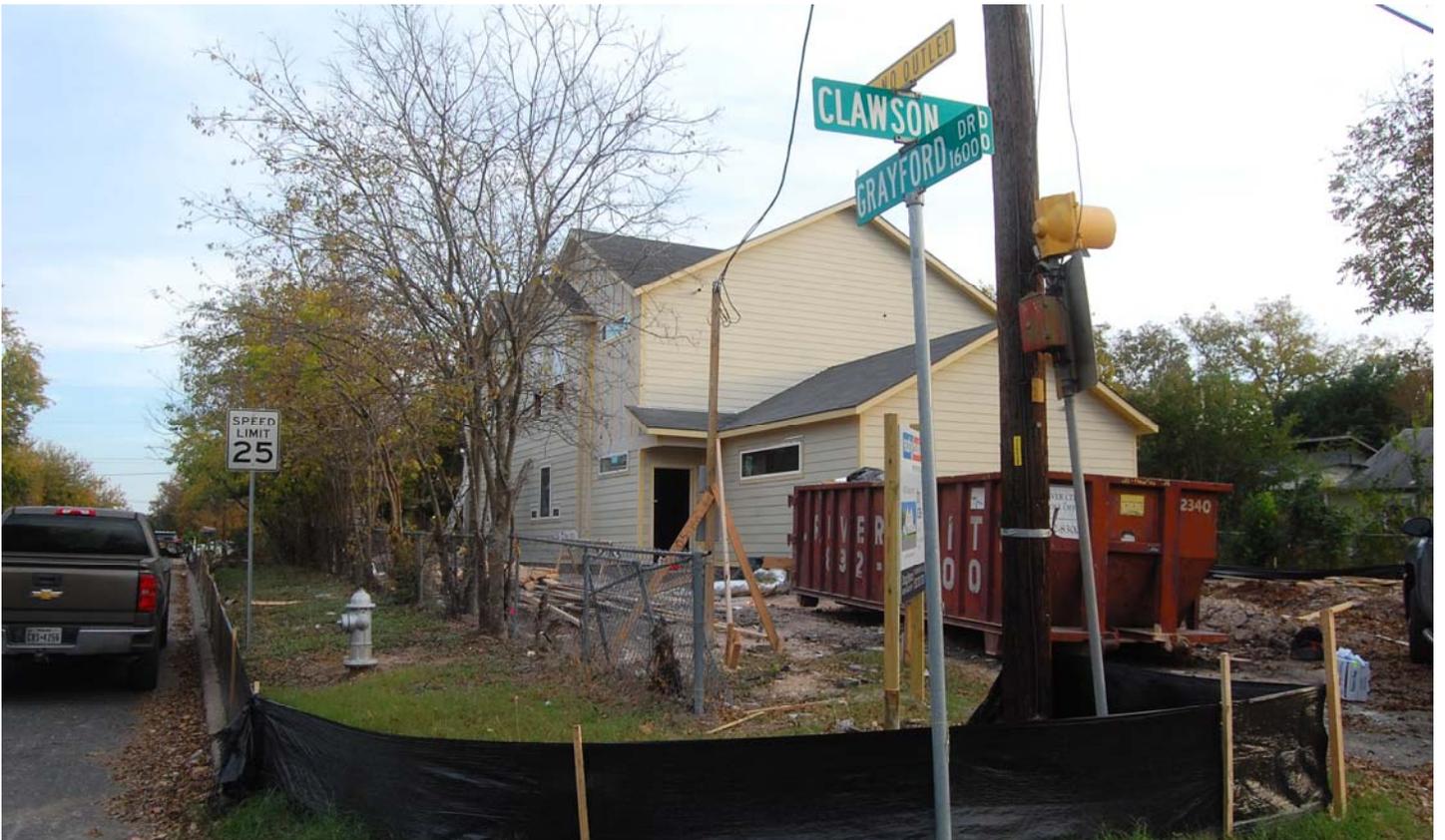
Views of Clawson Road with subject property at left of photo



Similar layout (4 houses built along deep lot) across the street from subject property, towards Southwest, approximately 500' from subject.



New construction at corner



Two properties across the street from subject



Rear portions of subject property (page 1 of 2)



Rear portions of subject property (page 2 of 2)





Chris Paladino

I, 403 Clawson Road, am applying for a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code. The variance would allow me the ability to Subdivide into two lots; one flag lot at the rear with a 15' "flag" and one lot in front with a 35' width.

By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
Cord Schuck	405 Clawson Rd 78704	[Signature]
Evan Gardner	4017 Clawson Rd. 78704	[Signature]
Erica Janke	4021 Clawson Rd 78704	[Signature]
ZANE MORGAN	1610 Morgan Ln	[Signature]
Andrew DuBean	1608 Morgan Ln	[Signature]
MARCOS DE LEON	4016 CLAWSON RD	[Signature]
Jenny Church	1605 Grayford	[Signature]



Chris Paladino

I, 402 Clawson Road LLC, am applying for a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code. The variance would allow me the ability to Subdivide into two lots; one flag lot at the rear with a 15' "flag" and one lot in front with a 35' width.

By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
SEAN MCGAUGHEY	4008 CLAWSON	<i>[Signature]</i>
ROBERT TREVIÑO	1606 GRAYFORD DR	<i>[Signature]</i>
Drew Horn	1509 Grayford Dr	<i>[Signature]</i>
WILL KOVITZER	1601 Grayford Dr	<i>[Signature]</i>
Ullmann ^{Matt} _{Bowman}	4104BClausen Rd	<i>[Signature]</i>
Claude Amato	1506 Gray Good D.	<i>[Signature]</i>
James Young	4004 Clawson Rd	<i>[Signature]</i>



Chris Paladino

I, 402 Clawson Road, am applying for a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code. The variance would allow me the ability to subdivide into two lots; one flag lot at the rear with a 15' "flag" and one lot in front with a 35' width.

By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
Taylor Brown	4018 Clawson Rd	<i>Taylor</i>
Taylor Brown	4100 Clawson Rd	<i>Taylor</i>



Chris Paladino

I, 403 Clawson Road, am applying for a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code. The variance would allow me the ability to subdivide into two lots; one flag lot at the rear with a 15' "flag" and one lot in front with a 35' width.

By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
Johnny Cucchia	3903 Clawson Road	<i>J.C. Cucchia</i>



Chris Paladino

I, 403 Gawnson Road, am applying for a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code. The variance would allow me the ability to subdivide into two lots; one flag lot at the rear with a 15' "flag" and one lot in front with a 35' width.

By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
Christian Adams	1505 Grayford Dr	Christian Adams
Aaron Moore	1507 Grayford Dr	A. Moore



Chris Paladino

I, 403 Gawnson Road LLC, am applying for a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code. The variance would allow me the ability to subdivide into two lots; one flag lot at the rear with a 15' "flag" and one lot in front with a 35' width.

By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
Ramzi Khazen	1604 Morgan Ln	Ramzi Khazen



Chris Paladino

I, 403 Clawson Road, am applying for a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code. The variance would allow me the ability to subdivide into two lots; one flag lot at the rear with a 15' "flag" and one lot in front with a 35' width.

By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
Michel Issa	4005 Clawson Rd	michel issa



Chris Paladino

I, 403 Gawnson Road LLC, am applying for a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code. The variance would allow me the ability to subdivide into two lots; one flag lot at the rear with a 15' "flag" and one lot in front with a 35' width.

By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
Erin May	1603 Grayford Dr	<i>E May</i>



Chris Paladino

I, 402 Hanson Road, am applying for a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code. The variance would allow me the ability to Subdivide into two lots; one flag lot at the rear with a 15' "flag" and one lot in front with a 35' width.

By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name <small>(Printed)</small>	Address	Signature
Cody Sitka	1606 Morgan Ln	

From: [REDACTED]
Subject: Case #: C15-2017-0065, 4013 Clawson Road
Date: Sunday, January 07, 2018 11:36:51 PM

v I object

(to the variance request to decrease the minimum lot width from 50 feet to 35 feet...)

Catherine Brown
Barbara Masters
1600 Morgan Ln
Austin, TX 78704
Catherine Brown, Barbara Masters, 01-07-2018

Phone 512-817-7965

Contact person: Leane Helenfels, 512-974-2202
Scheduled date of public hearing: 01-08-2018
Case #: C15-2017-0065, 4013 Clawson Road

From: [REDACTED]
Subject: Re: Case: C15-2017-0065, 4013 Clawson Rd., Austin 78704 (Hearing date: 01/08/18, 5:30pm)
Date: Thursday, January 04, 2018 8:59:21 PM

Ms. Heldenfels, For the Board's consideration, please add the following:

"In order to absorb hardships imposed on the adjoining Morgan Lane properties by the above Case and to accommodate safety and accessibility needs for all residents, I propose "approval be contingent" upon applicant's implementation of a shared access easement along the existing lot's southern/SE border for use by all adjoining Morgan Lane properties."

Thank you.
Kind regards,
J McCart, Ph.D.
310.913.1719 c/t
www.word2word.net

On Jan 04, 2018, at 02:38 PM, "Heldenfels, Leane" <Leane.Heldenfels@austintexas.gov> wrote:

You're welcome. I'll include your prior emails as comments to the Board or if you want to edit anything, advise.

Take care –
Leane

From: [REDACTED]
Subject: Re: Case: C15-2017-0065, 4013 Clawson Rd., Austin 78704 (Hearing date: 01/08/18, 5:30pm)

Thank you Ms. Heidenfels for your clarification per above referenced variance request.

On Jan 04, 2018, at 11:41 AM, "Heldenfels, Leane" <Leane.Heldenfels@austintexas.gov> wrote:

No, the zoning would limit it to one primary and one additional dwelling unit per lot – there will be 2 lots, so 4 units where one currently exists – 2 primary and 2 secondary/ADU (additional dwelling units).
Only way to get more than that would be a rezoning to Sf-4, then could be 8 condo units (attached or detached) on the current one lot of current size, with current frontage/width.

Cc: [REDACTED]

Subject: Fwd: Case: C15-2017-0065, 4013 Clawson Rd., Austin 78704 (Hearing date: 01/08/18, 5:30pm)

Thank you Ms. Heldenfels -- YES. Per your email today asking if I would like the Board to see comments from me on the applicant's proposal, please include my earlier-submitted emails of Jan. 1-2, 2018, as well as **my concern for accountability of the development project** expressed below.

That concern originates from:

- (1) No verifiable information on the applicant's proposed development is available for adjoining property owners to review.
- (2) The City's "Notice of Hearing . . ." states a greater subdivision density on "each lot" than applicant asserts.
- (3) The applicant's email of 01/02/18 states information that applicant originally withheld from adjoining property owners who inquired about the applicant's development intent.

Thank you.
Kind regards,
J McCart, Ph.D.
310.913.1719
www.word2word.net

Begin forwarded message:

From: [REDACTED]

Subject: Re: Case: C15-2017-0065, 4013 Clawson Rd., Austin 78704 (Hearing date: 01/08/18, 5:30pm)

Chris—my objections rests on your evidently unwillingness to provide information until now after-the-fact, which creates a concern for accountability of the development project you propose.

Regards,
J McCart, Ph.D.
310.913.1719 c/t
www.word2word.net

Sent from my iPhone

On Jan 2, 2018, at 5:27 PM, Chris Paladino
[REDACTED] wrote:

Thank you, I appreciate your objection. My apologies if I was not clear that your support was contingent on my ability to fulfill your requests.

Hope you have a very happy and healthy new year!

[REDACTED]

Subject: Re: Case: C15-2017-0065, 4013 Clawson Rd., Austin 78704 (Hearing date: 01/08/18, 5:30pm)

Thank you Chris for your response.

However considering the details you seemingly did not have in Oct. & Nov. 2017 (to my caveats in signing the City form requested at that time for you to a request a Variance Hearing), and your informational statements today (expressed in your email below) that are filled with obstacle statements (which fail to assure any consideration for

current concerns expressed by
Morgan Lane neighbors
sharing a property line with
your existing single lot), I
OBJECT TO THE 4013
CLAWSON RD (78704)
VARIANCE REQUEST.

This may change, but based on
your expressed obstacles stated
in your email below to my very
reasonable concerns, I
currently OBJECT.

Regards,
J McCart, PhD.



Sent from my iPhone

On Jan 2, 2018, at 4:45 PM,
Chris Paladino



wrote:

Hi Joyce! Hope
you had a very
happy New Year.

I response again to
the issues below,
let me first clarify
that the proposed
variance will allow
me to subdivide
into TWO lots, not
three. Both will be
zoned SF-3.

The notice that was
sent out shows this
will allow a total
of 4 units (not 8),
two single family
homes and two
ADUs. (This
answers your
question 2 at the
end, below.)

You and I previously discussed items 1 and 2, and in your email of October 1 you indicated you support what I want to do and that you had these two requests. I continue to work toward being able to fulfill those requests, but much of the outcome are beyond my control and/or will take many more months to confirm.

Regarding item 1, I will be required to have a tree review and follow all City of Austin tree ordinances. Trees that need to be removed, and can be according to the City ordinance, may have to go but it is my intention to landscape well and include trees to improve the property.

One challenge between your items 1 and 2 is that, in order to put the driveway along the south property line (and to give you access to the rear of your property), those trees would have to go.

To further clarify item 2, the final placement of the driveway will depend on the City permitting department as well as utilities, and coordination between tree review, the water/sewer department, electric, fire department and many others. As far as an easement for access to the rear of your property, there will be a driveway (not a “roadway” – I’m not trying to parse words, it’s an important distinction). I have talked to a real estate attorney about granting access, but it is not as simple as it might seem. A small (4 member) HOA will own the driveway, and owners will be required to contribute to repair and maintenance. Granting an easement may have to include contribution to the escrow fund for repair and maintenance. Also, the driveway may or may not be wide enough to

accommodate a turning radius out of your property. These are only 2 issues that have come up so far. I repeat that I am willing to do what I can to accommodate your request, but that I cannot make a commitment until much further in the development process. I know that doesn't give you the assurance you'd like.

Joyce, I am committed to doing this project in a way that is environmentally sensitive; aesthetically pleasing; consistent with the area in terms of design and house size; and respectful of the land and the community. Whether anyone wants to believe me or not, these things are actually in my best interest as they will only enhance the value of the project for me and my family.

Thanks, and feel free to call me any time to discuss further (512-720-8654)!

Chris

[REDACTED]

[REDACTED]

[REDACTED]

Subject: Case:
C15-2017-0065,
4013 Clawson Rd.,
Austin 78704
(Hearing date:
01/08/18, 5:30pm)

HAPPY NEW
YEAR! May you
experience
joyfulness
throughout 2018.

Dear Ms.
Heldenfels,

I am a property
owner of
residential
property on
Morgan Lane,
which property
borders the
Southern/SE
property line of the
above-referenced
property under
variance
consideration by
the City.

In theory, I have no objections based on the owner's earlier communications that his request to the City was a variance to subdivide his existing single lot into 3-lots, with 1-lot being a roadway lot and 2-lots being SFR lots, resulting in a total of 2 new homes, not 8-new structures (2 SFR + 2 second dwelling units per lot) as the 12/28/17 "Notice for Public Hearing . . ." states.

My earlier communications, with which the owner (Chris Paladino/NPC Holdings) expressed agreement should the City's requirements allow, included the following:

1. That the Oak Trees along the Southern/SE property line (of the variance property) remain inground/on site healthy and undamaged, and
2. That the roadway lot extend easterly along the Southern/SE property line of the

variance property in order that adjoining property owners, such as myself, may have access to the rear of their property via Mr. Paladino's roadway lot.

Per the City's Notice, it appears that the variance requested is for 2-lots total, each with 4 new homes for a total of 8 residential structures. No access road is stated in the City's Notice. Considering this difference in what was earlier communicated and what is currently proposed by the owner, can you clarify:

1. whether or not a roadway lot is required or will be constructed, and will it also be available for adjoining property owners use, public use, and/or private use only?
2. the TOTAL numbers of homes, including SFR and second dwelling units requested for the proposed subdivision on the variance property.

My primary concerns are:

1. preservation of Oak trees along shared property lines?
2. shared use of a roadway lot along the variance property's southern/SE border?
3. impact of additional traffic and traffic noise upon existing properties located on Morgan Lane, which currently experiences (1) excess freeway traffic noise and (2) serves as an access lane to 71W/290W/Ben White Blvd. freeway.

Thank you in advance for your considerations to the above concerns and timely response to my inquiry.

Kind regards,
J McCart, PhD.
310.913.1719 c/t



Thank you Ms. Heldenfels -- YES. Per your email today asking if I would like the Board to see comments from me on the applicant's proposal, please include my earlier-submitted emails of Jan. 1-2, 2018, as well as **my concern for accountability of the development project** expressed below.

That concern originates from:

- (1) No verifiable information on the applicant's proposed development is available for adjoining property owners to review.
- (2) The City's "Notice of Hearing . . ." states a greater subdivision density on "each lot" than applicant asserts.
- (3) The applicant's email of 01/02/18 states information that applicant originally withheld from adjoining property owners who inquired about the applicant's development intent.

Thank you.
Kind regards,
J McCart, Ph.D.
310.913.1719
[REDACTED]

Begin forwarded message:

From: Joyce McCart [REDACTED]
Date: January 02, 2018 3:36:54 PM
To: Chris Paladino [REDACTED]
Subject: Re: Case: C15-2017-0065, 4013 Clawson Rd., Austin 78704 (Hearing date: 01/08/18, 5:30pm)

Chris—my objections rests on your evidently unwillingness to provide information until now after-the-fact, which creates a concern for accountability of the development project you propose.

Regards,
J McCart, Ph.D.
310.913.1719 c/t
[REDACTED]

[REDACTED] my iPhone

On Jan 2, 2018, at 5:27 PM, Chris Paladino [REDACTED] rote:

Thank you, I appreciate your objection. My apologies if I was not clear that your support was contingent on my ability to fulfill your requests.

Hope you have a very happy and healthy new year!

From: [REDACTED]

Subject: Re: Case: C15-2017-0065, 4013 Clawson Rd., Austin 78704 (Hearing date: 01/08/18, 5:30pm)

Thank you Chris for your response.

However considering the details you seemingly did not have in Oct. & Nov. 2017 (to my caveats in signing the City form requested at that time for you to request a Variance Hearing), and your informational statements today (expressed in your email below) that are filled with obstacle statements (which fail to assure any consideration for current concerns expressed by Morgan Lane neighbors sharing a property line with your existing single lot), I OBJECT TO THE 4013 CLAWSON RD (78704) VARIANCE REQUEST.

This may change, but based on your expressed obstacles stated in your email below to my very reasonable concerns, I currently OBJECT.

Regards,

J McCart, PhD.

310.913.1719 c/t

[REDACTED]

Sent from my iPhone

On Jan 2, 2018, at 4:45 PM, Chris Paladino [REDACTED] wrote:

Hi Joyce! Hope you had a very happy New Year.

I respond again to the issues below, let me first clarify that the proposed variance will allow me to subdivide into TWO lots, not three. Both will be zoned SF-3.

The notice that was sent out shows this will allow a total of 4 units (not 8), two single family homes and two ADUs. (This answers your question 2 at the end, below.)

You and I previously discussed items 1 and 2, and in your email of October 1 you indicated you support what I want to do and that you had these two requests. I continue to work toward being able to fulfill those requests, but much of the outcome are beyond my control and/or will take many more months to confirm.

Regarding item 1, I will be required to have a tree review and follow all City of Austin tree ordinances. Trees that need to be removed, and can be according to the City ordinance, may have to go but it is my intention to landscape well and include trees to improve the property.

One challenge between your items 1 and 2 is that, in order to put the driveway along the south property line (and to give you access to the rear of your property), those trees would have to go.

To further clarify item 2, the final placement of the driveway will depend on the City permitting department as well as utilities, and coordination between tree review, the water/sewer department, electric, fire department and many others. As far as an easement for access to the rear of your property, there will be a driveway (not a "roadway" – I'm not trying to parse words, it's an important distinction). I have talked to a real estate attorney about granting access, but it is not as simple as it might seem. A small (4 member) HOA will own the driveway, and owners will be required to contribute to repair and maintenance. Granting an easement may have to include contribution to the escrow fund for repair and maintenance. Also, the driveway may or may not be wide enough to accommodate a turning radius out of your property. These are only 2 issues that have come up so far. I repeat that I am willing to do what I can to accommodate your request, but that I cannot make a commitment until much further in the development process. I know that doesn't give you the assurance you'd like.

Joyce, I am committed to doing this project in a way that is environmentally sensitive; aesthetically pleasing; consistent with the area in terms of design and house size; and respectful of the land and the community. Whether anyone wants to believe me or not, these things are

actually in my best interest as they will only enhance the value of the project for me and my family.

Thanks, and feel free to call me any time to discuss further (512-720-8654)!

Chris

From:

[REDACTED]

Subject: Case: C15-2017-0065, 4013 Clawson Rd., Austin 78704 (Hearing date: 01/08/18, 5:30pm)

HAPPY NEW YEAR! May you experience joyfulness throughout 2018.

Dear Ms. Heldenfels,

I am a property owner of residential property on Morgan Lane, which property borders the Southern/SE property line of the above-referenced property under variance consideration by the City.

In theory, I have no objections based on the owner's earlier communications that his request to the City was a variance to sub-divide his existing single lot into 3-lots, with 1-lot being a roadway lot and 2-lots being SFR lots, resulting in a total of 2 new homes, not 8-new structures (2 SFR + 2 second dwelling units per lot) as the 12/28/17 "Notice for Public Hearing . . ." states.

My earlier communications, with which the owner (Chris Paladino/NPC Holdings) expressed agreement should the City's requirements allow, included the following:

1. That the Oak Trees along the Southern/SE property line (of the variance property) remain inground/on site healthy and undamaged, and
2. That the roadway lot extend easterly along the Southern/SE property line of the variance property in order that adjoining property owners, such as myself, may have access to the rear of their property via Mr. Paladino's roadway lot.

Per the City's Notice, it appears that the variance requested is for 2-lots total, each with 4 new homes for a total of 8 residential structures. No access road is stated in the City's Notice. Considering this difference in what was earlier communicated and what is currently proposed by the owner, can you clarify:

1. whether or not a roadway lot is required or will be constructed, and will it also be available for adjoining property owners use, public use, and/or private use only?
2. the TOTAL numbers of homes, including SFR and second dwelling units requested for the proposed sub-division on the variance property.

My primary concerns are:

1. preservation of Oak trees along shared property lines?
2. shared use of a roadway lot along the variance property's southern/SE border?
3. impact of additional traffic and traffic noise upon existing properties located on Morgan Lane, which currently experiences (1) excess freeway traffic noise and (2) serves as an access lane to 71W/290W/Ben White Blvd. freeway.

Thank you in advance for your considerations to the above concerns and timely response to my inquiry.

Kind regards,

J McCart, PhD.

310.913.1719 c/t

attn:

City of Austin – Development Services Department
P.O. Box 1088
Austin Texas 78767

2 January 2018

Case Number C15-2017-0065, 4013 Clawson Road
Contact: LEANE HELDENFELS 512.974.2202

[REDACTED]

[REDACTED] **Heaing: Board of Adjustment, January 8, 2018**

Michael Waddell
1506 Morgan Lane
Austin Texas 78704

I OBJECT to granting a variance
for development at
4013 Clawson Road

Dear Ms Heldenfels,

I live at an address that will be affected by the proposed or petitioned variance for developing a thin and deep lot at 4013, a site that runs adjacent to the back yards of more than five other residential homes where residents and/or owners live.

I am gratified that my near neighbor at 1602 Morgan Lane has already contacted you with her concerns, all of which i share-- about the progress of this portentous petition being brought

by Mr Paladino. Portentous, i say—noting the trees on the lot in question mostly have been bull-dozed away!

To my knowledge there have been no considerations of geology or watershed consequences that would result from this 'development', and in fact i cannot see *any* evidence of studies and evaluations having been conducted, to reach credible conclusions, about how this vaguely detailed petition, if granted, will actually affect all the surrounding properties.

The variance would seem, at this stage of considerations, to offer nothing that is an improvement, or a compensation, to the lives or environment of residents already living here—some here, like myself, for many years, who are expecting this stable neighborhood to endure for years to come.

Granting a variance, as it's presently stated, would be profitable only to interests of *the petitioner*—whose interests i believe are only secondarily concerned with overall wellbeing and residential stability, that are essential aspects of our present-day neighborhood quality—

The petitioner, so far as i know, has not proposed (to us residents) any detailed or agreed upon 'contractual guarantees' of a sort that might encourage residents here to trust his motives, or to believe his project will enhance or improve the surrounding environment at large—that we all do enjoy and live in.

I will cut short here, having already sent you and Ms McCart an unrehearsed version of my concerns. I am hopeful that the entire thread of emails between Ms McCart to you, that are

now copied to me and other neighbors, will be included as a relevant part of the record of pertinent interests and facts—to help with the City’s evaluation of the merits of this ‘proposal for variance’ as it is presently written up.

Thank you for including my communication, and for allowing my voice before decisions are made and done with.

sincerely,
michael waddell

phone 512.447.4844

2 January 2018

signature

copy of a previous letter of concern about Paladino’s request:

J McCart, PhD.
310.913.1719 c/t



I am a property owner of residential property on Morgan Lane, which property borders the Southern/SE property line of the above-referenced property under variance consideration by the City.

In theory, I have no objections based on the owner's earlier communications that his request to the City was a variance to sub-divide his existing single lot into 3-lots, with 1-lot being a roadway lot and 2-lots being SFR lots, resulting in a total of 2 new homes, not 8-new structures (2 SFR + 2

second dwelling units per lot) as the 12/28/17 "Notice for Public Hearing . . ." states.

My earlier communications, with which the owner (Chris Paladino/NPC Holdings) expressed agreement should the City's requirements allow, included the following:

1. That the Oak Trees along the Southern/SE property line (of the variance property) remain inground/on site healthy and undamaged, and
2. That the roadway lot extend easterly along the Southern/SE property line of the variance property in order that adjoining property owners, such as myself, may have access to the rear of their property via Mr. Paladino's roadway lot.

Per the City's Notice, it appears that the variance requested is for 2-lots total, each with 4 new homes for a total of 8 residential structures. No access road is stated in the City's Notice. Considering this difference in what was earlier communicated and what is currently proposed by the owner, can you clarify:

1. whether or not a roadway lot is required or will be constructed, and will it also be available for adjoining property owners use, public use, and/or private use only?
2. the TOTAL numbers of homes, including SFR and second dwelling units requested for the proposed sub-division on the variance property.

My primary concerns are:

1. preservation of Oak trees along shared property lines?
2. shared use of a roadway lot along the variance property's southern/SE border?
3. impact of additional traffic and traffic noise upon existing properties located on Morgan Lane, which currently experiences (1) excess freeway traffic noise and (2) serves as an access lane to [71W/290W/Ben White Blvd.](#) freeway.

Thank you in advance for your considerations to the above concerns and timely response to my inquiry.

From: [REDACTED]
Subject: Fwd: Case: C15-2017-0065, 4013 Clawson Rd., Austin 78704 (Hearing date: 01/08/18, 5:30pm)
Date: Tuesday, January 02, 2018 5:28:47 PM

Dear Ms. Heldenfels,

I currently OBJECT to the requested property variance for 4013 Clawson Rd. (78704) referenced above.

Please include my OBJECTION, as well as my response email below to Chris Paladino's 01/02/18 response email.

Thank you.
Kind regards,
J McCart, PhD.
310.913.1719 c/t
[REDACTED]

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
[REDACTED]
[REDACTED]
Subject: Re: Case: C15-2017-0065, 4013 Clawson Rd., Austin 78704 (Hearing date: 01/08/18, 5:30pm)

Thank you Chris for your response.

However considering the details you seemingly did not have in Oct. & Nov. 2017 (to my caveats in signing the City form requested at that time for you to a request a Variance Hearing), and your informational statements today (expressed in your email below) that are filled with obstacle statements (which fail to assure any consideration for current concerns expressed by Morgan Lane neighbors sharing a property line with your existing single lot), I OBJECT TO THE 4013 CLAWSON RD (78704) VARIANCE REQUEST.

This may change, but based on your expressed obstacles stated in your email below to my very reasonable concerns, I currently OBJECT.

Regards,
J McCart, PhD.
310.913.1719 c/t

[REDACTED]

Sent from my iPhone

On Jan 2, 2018, at 4:45 PM, Chris Paladino [REDACTED] > wrote:

Hi Joyce! Hope you had a very happy New Year.

In response again to the issues below, let me first clarify that the proposed variance will allow me to subdivide into TWO lots, not three. Both will be zoned SF-3.

The notice that was sent out shows this will allow a total of 4 units (not 8), two single family homes and two ADUs. (This answers your question 2 at the end, below.)

You and I previously discussed items 1 and 2, and in your email of October 1 you indicated you support what I want to do and that you had these two requests. I continue to work toward being able to fulfill those requests, but much of the outcome are beyond my control and/or will take many more months to confirm.

Regarding item 1, I will be required to have a tree review and follow all City of Austin tree ordinances. Trees that need to be removed, and can be according to the City ordinance, may have to go but it is my intention to landscape well and include trees to improve the property.

One challenge between your items 1 and 2 is that, in order to put the driveway along the south property line (and to give you access to the rear of your property), those trees would have to go.

To further clarify item 2, the final placement of the driveway will depend on the City permitting department as well as utilities, and coordination between tree review, the water/sewer department, electric, fire department and many others. As far as an easement for access to the rear of your property, there will be a driveway (not a "roadway" – I'm not trying to parse words, it's an important distinction). I have talked to a real estate attorney about granting access, but it is not as simple as it might seem. A small (4 member) HOA will own the driveway, and owners will be required to contribute to repair and maintenance. Granting an easement may have to include contribution to the escrow fund for repair and maintenance. Also, the driveway may or may not be wide enough to accommodate a turning radius out of your property. These are only 2 issues that have come up so far. I repeat that I am willing to do what I can to accommodate your request, but that I cannot make a commitment until much further in the development process. I know that doesn't give

you the assurance you'd like.

Joyce, I am committed to doing this project in a way that is environmentally sensitive; aesthetically pleasing; consistent with the area in terms of design and house size; and respectful of the land and the community. Whether anyone wants to believe me or not, these things are actually in my best interest as they will only enhance the value of the project for me and my family.

Thanks, and feel free to call me any time to discuss further (512-720-8654)!

Chris

From: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Subject: Case: C15-2017-0065, 4013 Clawson Rd., Austin 78704 (Hearing date: 01/08/18, 5:30pm)

HAPPY NEW YEAR! May you experience joyfulness throughout 2018.

Dear Ms. Heldenfels,

I am a property owner of residential property on Morgan Lane, which property borders the Southern/SE property line of the above-referenced property under variance consideration by the City.

In theory, I have no objections based on the owner's earlier communications that his request to the City was a variance to sub-divide his existing single lot into 3-lots, with 1-lot being a roadway lot and 2-lots being SFR lots, resulting in a total of 2 new homes, not 8-new structures (2 SFR + 2 second dwelling units per lot) as the 12/28/17 "Notice for Public Hearing . . ." states.

My earlier communications, with which the owner (Chris Paladino/NPC Holdings) expressed agreement should the City's requirements allow, included the following:

1. That the Oak Trees along the Southern/SE property line (of the variance property) remain inground/on site healthy and undamaged, and
2. That the roadway lot extend easterly along the Southern/SE property line of the variance property in order that adjoining property owners, such as myself, may have access to the rear of their property via Mr.

Paladino's roadway lot.

Per the City's Notice, it appears that the variance requested is for 2-lots total, each with 4 new homes for a total of 8 residential structures. No access road is stated in the City's Notice. Considering this difference in what was earlier communicated and what is currently proposed by the owner, can you clarify:

1. whether or not a roadway lot is required or will be constructed, and will it also be available for adjoining property owners use, public use, and/or private use only?
2. the TOTAL numbers of homes, including SFR and second dwelling units requested for the proposed sub-division on the variance property.

My primary concerns are:

1. preservation of Oak trees along shared property lines?
2. shared use of a roadway lot along the variance property's southern/SE border?
3. impact of additional traffic and traffic noise upon existing properties located on Morgan Lane, which currently experiences (1) excess freeway traffic noise and (2) serves as an access lane to 71W/290W/Ben White Blvd. freeway.

Thank you in advance for your considerations to the above concerns and timely response to my inquiry.

Kind regards,
J McCart, PhD.
310.913.1719 c/t



PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, **you are not required to attend.** However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing;

- and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
 - is the record owner of property within 500 feet of the subject property or proposed development; or
 - is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site:

www.austintexas.gov/department/development-services

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. **All comments received will become part of the public record of this case.**

Case Number: C15-2017-0065, 4013 Clawson Road
Contact: Leane Heldenfels, 512-974-2202, leaneheldenfels@austintexas.gov
Public Hearing: Board of Adjustment, January 8, 2018

Leane Heldenfels
Your Name (please print)

<input type="checkbox"/> I am in favor
<input checked="" type="checkbox"/> I object

Your address(es) affected by this application

Daytime Telephone: _____ Signature _____ Date _____

Comments: *I am against any more development on Clawson Road. The traffic volume is horrible and we are experiencing run off issues with water & rain. This lot is for parking already to sustain this development. Please DO NOT approve. Please help us preserve our neighborhood.*

Comments must be returned by 10am the day of the hearing to be seen by the Board at this hearing. They may be sent via: *neighborhood thank you.*

Mail: City of Austin-Development Services Department/ 1st Floor
Leane Heldenfels
P. O. Box 1088
Austin, TX 78767-1088

(Note: mailed comments must be postmarked by the Wed prior to the hearing to be seen by the Board at this hearing)

Fax: (512) 974-6305
Email: leaneheldenfels@austintexas.gov

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, **you are not required to attend.** However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site:

www.austintexas.gov/department/development-services

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. **All comments received will become part of the public record of this case.**

Case Number: C15-2017-0065, 4013 Clawson Road
Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, January 8, 2018

Richard Schroer
Your Name (please print)

I am in favor
 I object

1508 Foothills
Your address(es) affected by this application

[Signature] *1/7/18*
Signature Date

Daytime Telephone: *(512) 499-8300*

Comments:

Approve

Comments must be returned by 10am the day of the hearing to be seen by the Board at this hearing. They may be sent via:

Mail: City of Austin-Development Services Department/ 1st Floor
Leane Heldenfels
P. O. Box 1088
Austin, TX 78767-1088

(Note: mailed comments must be postmarked by the Wed prior to the hearing to be seen by the Board at this hearing)

Fax: (512) 974-6305
Email: leane.heldenfels@austintexas.gov